

MONTANA LEGISLATIVE HISTORY

Chapter 626 19 89

Bill H 526 S _____ Original bill & history C

H. Committee on Appropriations

Hearing Date(s) Mar 03 ☒ C

Mar 15 ☒ C

_____ C

_____ C

Date Out Mar 20 ☒ C

S. Committee on Finance & Claims

Hearing Date(s) Apr 06 ☒ C

_____ C

_____ C

_____ C

Apr 06 ☒ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

HOUSE FINAL STATUS

INCLUDE PREVENTIVE HEALTH SERVICES UNDER MEDICAL ASSISTANCE FOR MEDICAID

2/01	INTRODUCED		
2/02	REFERRED TO HUMAN SERVICES & AGING		
2/08	HEARING		
2/11	FISCAL NOTE REQUESTED		
2/16	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/16	FISCAL NOTE RECEIVED		
2/18	FISCAL NOTE PRINTED		
2/18	2ND READING PASSED	72	25
2/21	3RD READING PASSED	75	21

	TRANSMITTED TO SENATE		
2/28	REFERRED TO PUBLIC HEALTH, WELFARE & SAFETY		
3/17	HEARING		
3/18	COMMITTEE REPORT--BILL CONCURRED		
3/20	2ND READING CONCURRED	48	0
3/22	3RD READING CONCURRED	49	0

	RETURNED TO HOUSE		
3/27	SIGNED BY SPEAKER		
3/28	SIGNED BY PRESIDENT		
3/29	TRANSMITTED TO GOVERNOR		
4/03	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 417	EFFECTIVE DATE:	10/01/89

HB 525 INTRODUCED BY SWYSGOOD, ET AL.
ESTABLISH VALUE OF TALC FOR NET PROCEEDS PROPERTY
TAX AND RESOURCE INDEMNITY TRUST TAX PURPOSES

2/01	INTRODUCED		
2/02	REFERRED TO TAXATION		
2/09	HEARING		
3/01	COMMITTEE REPORT--BILL PASSED AS AMENDED		
3/03	FISCAL NOTE REQUESTED		
3/08	FISCAL NOTE RECEIVED		
3/09	FISCAL NOTE REQUESTED ON 2ND READING COPY		
3/10	FISCAL NOTE RECEIVED ON 2ND READING COPY		
3/11	2ND READING PASSED	92	0
3/11	FISCAL NOTE PRINTED ON 2ND READING COPY		
3/14	3RD READING PASSED	91	0

	TRANSMITTED TO SENATE		
3/15	REFERRED TO TAXATION		
3/29	HEARING		
3/30	COMMITTEE REPORT--BILL CONCURRED		
3/31	2ND READING CONCURRED	50	0
4/03	3RD READING CONCURRED	50	0

	RETURNED TO HOUSE		
4/08	SIGNED BY SPEAKER		
4/10	SIGNED BY PRESIDENT		
4/10	TRANSMITTED TO GOVERNOR		
4/14	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 531	EFFECTIVE DATE:	4/14/89

HB 526 INTRODUCED BY IVERSON, ET AL.
END ALTERNATIVE ENERGY ALLOCATION FROM COAL
SEVERANCE TAX

HOUSE FINAL STATUS

BY REQUEST OF DEPARTMENT OF NATURAL RESOURCES & CONSERVATION

2/01	INTRODUCED		
2/02	REFERRED TO APPROPRIATIONS		
3/03	HEARING		
3/20	COMMITTEE REPORT--BILL PASSED AS AMENDED		
3/22	2ND READING PASSED	77	13
3/23	3RD READING PASSED	79	19
	TRANSMITTED TO SENATE		
3/27	REFERRED TO FINANCE & CLAIMS		
4/06	HEARING		
4/06	COMMITTEE REPORT--BILL CONCURRED		
4/10	2ND READING CONCURRED	49	0
4/12	3RD READING CONCURRED	47	1
	RETURNED TO HOUSE		
4/18	SIGNED BY SPEAKER		
4/19	SIGNED BY PRESIDENT		
4/19	TRANSMITTED TO GOVERNOR		
4/24	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 626	EFFECTIVE DATE:	7/01/89

HB 527 INTRODUCED BY ZOOK, ET AL.
 PERMIT RELOCATION OF ELEMENTARY SCHOOL WITHIN A
 SCHOOL DISTRICT IF MORE CONVENIENT FOR
 MAJORITY OF PUPILS ATTENDING

2/01	INTRODUCED		
2/02	REFERRED TO EDUCATION & CULTURAL RESOURCES		
2/10	HEARING		
2/11	COMMITTEE REPORT--BILL PASSED		
2/14	2ND READING PASSED	80	3
2/16	3RD READING PASSED	95	2
	TRANSMITTED TO SENATE		
2/17	REFERRED TO EDUCATION & CULTURAL RESOURCES		
3/08	HEARING		
3/08	COMMITTEE REPORT--BILL CONCURRED		
3/09	2ND READING CONCURRED	49	0
3/11	3RD READING CONCURRED	44	0
	RETURNED TO HOUSE		
3/17	SIGNED BY SPEAKER		
3/18	SIGNED BY PRESIDENT		
3/18	TRANSMITTED TO GOVERNOR		
3/23	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 281	EFFECTIVE DATE:	3/23/89

HB 528 INTRODUCED BY BOHARSKI
 INCREASE LIMITS OF COVERAGE REQUIRED UNDER A MOTOR
 VEHICLE LIABILITY INSURANCE POLICY

2/01	INTRODUCED		
2/02	REFERRED TO JUDICIARY		
2/14	HEARING		
2/17	TABLED IN COMMITTEE		

HB 529 INTRODUCED BY BOHARSKI

commission have if they have all this information together. Rep. Harper stated it would be basically the authority found on Page 5 to review and recommend. Rep. Swysgood asked if the Governor does not presently have all this information available to him from organizations that are already in place such as the DES and all the agency heads they go through to keep him apprised of the situation that is going on. Rep. Harper stated this information does exist but might not be in the best state that it could be, the problem is how to you get it together and how does it get coordinated and then get it in a policy to address drought. Rep. Swysgood asked how many states have this type of commission. Rep. Harper stated it was developed in Colorado and Washington. Mr. Ochenski stated there are 23 other states right now in process of developing a drought plan.

Closing by Sponsor:

Representative Harper said hundreds of millions of dollars go to different economic entities in this state and he feels \$15,000 would be well spent in an attempt to develop this kind of response mechanism, because the only one we have now is inadequate.

HEARING ON HOUSE BILL 526

"AN ACT ELIMINATING THE ALLOCATION OF COAL SEVERANCE TAX REVENUES TO THE ALTERNATIVE ENERGY AND ENERGY CONSERVATION RESEARCH DEVELOPMENT AND DEMONSTRATION ACCOUNT; TRANSFERRING THE UNOBLIGATED CASH BALANCE FROM THE ALTERNATIVE ENERGY AND ENERGY CONSERVATION RESEARCH DEVELOPMENT AND DEMONSTRATION ACCOUNT TO THE GENERAL FUND; AMENDING SECTIONS 15-35-108, 22-2-304, 90-3-101, AND 90-4-103, MCA; AND PROVIDING AN EFFECTIVE DATE."

Tape 2, Side 1, 314

Presentation and Opening Statement by Sponsor:

Representative Iverson, House District 12, Whitlash stated this Bill deals with renewable energy and conservation grant program. It was set up in 1975 and essentially what it did was to give grants and loans to various projects that had to do with renewable energy. What this Bill does is redirect the money that is currently going into that program and puts it in the general fund. This amount is roughly \$1.7 million dollars during the 1990-91 biennium and it also takes the \$.5 million dollar balance in the fund now and puts it in the general fund. This is not a big policy change. When it was established in 1975 there was a lot of concern during the high energy price years, energy shortage years, that we should be doing something to figure out what could be developed for energy.

Testifying Proponents and Who They Represent:

Dave Darby, Deputy Director, Department of Natural Resources and Conservation

Proponent Testimony:

Mr. Darby stated originally the alternative energy account was proposed in Governor Schwinden's budget to offset general fund in the department. After discussions with the new administration they agreed it made more sense simply to de-earmark that revenue screen, largely for the reasons mentioned above. The reason for the original grant loan program has been met and now the emphasis is on efficiency in state buildings and other areas than the purpose for those grant programs. Given the history of the use of the funds since about 1985 it also made sense to go ahead and de-earmark. What that would do in the upcoming biennium is to offset about 20% of the department's general funding from traditional sources and essentially that money would be available as general fund. Some of the money in that account issues for federal match and to leverage federal funds. Currently the money left in the grant and loan repayment account will cover that for several bienniums. There could be some time in four or five years to leverage federal funds. The department could come back in and ask for a modest increase in general fund but that won't happen in the next three or four years. If concerns about greenhouse effect, how stable the northwest energy supply and energy surplus is and national air quality issues, focus some re-examination on energy matters, they would bring those up at an appropriate time.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members:

Closing by Sponsor:

Representative Iverson closed.

HEARING ON HOUSE BILL 463

"AN ACT ALLOWING A DISTRICT COURT TO APPOINT A WATER COMMISSIONER MEDIATOR TO MEDIATE A WATER CONTROVERSY IN A DECREED OR NONDECREED BASIN; ~~ENABLING THE GOVERNOR TO APPLY TO THE DISTRICT COURT FOR APPOINTMENT OF A WATER COMMISSIONER; ALLOWING THE DISTRICT COURT TO ASSESS REASONABLE FEES FOR A WATER COMMISSIONER; MAKING OTHER REVISIONS TO THE WATER COMMISSIONER~~

DAILY ROLL CALL

HOUSE APPROPRIATIONS

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date

3/3/89

NAME	PRESENT	ABSENT	EXCUSED
REPRESENTATIVE BARDANOUVE	✓		
REPRESENTATIVE SPAETH			✓
REPRESENTATIVE PECK	✓		
REPRESENTATIVE IVERSON	✓		
REPRESENTATIVE SWIFT	✓		
REPRESENTATIVE QUILICI	✓		
REPRESENTATIVE BRADLEY	✓		
REPRESENTATIVE PETERSON	✓		
REPRESENTATIVE MARKS	✓		
REPRESENTATIVE CONNELLY	✓		
REPRESENTATIVE MENAHAN	✓		
REPRESENTATIVE THOFT	✓		
REPRESENTATIVE KADAS	✓		
REPRESENTATIVE SWYSGOOD	✓		
REPRESENTATIVE KIMBERLEY	✓		
REPRESENTATIVE NISBET	✓		
REPRESENTATIVE COBB	✓		
REPRESENTATIVE GRINDE	✓		
REPRESENTATIVE CODY	✓		
REPRESENTATIVE GRADY	✓		

DATE 3/3/89

COMMITTEE ON Appropriations

VISITORS' REGISTER

[illegible]

pass as amended.

Recommendation and Vote: Voted, passed, roll call vote, 10 members voting yes, 5 members voting no.

DISPOSITION OF HOUSE BILL 526

Motion: Motion by Rep. Iverson that House Bill 526, as amended, do pass.

Rep. Iverson said H. B. 683 which deals with Science and Tech requires this account keep a minimum balance to service whatever they have to do with that account, and this amendment would leave \$10,000 in it.

Amendments, Discussion, and Votes: Motion by Representative Iverson to amend House Bill 526, EXHIBIT 1, amending page 5, lines 19 and 23 and page 8, line 6. Voted, passed.

Rep. Bardanouve asked exactly what this bill does, and was told it is the Renewable Energy and Energy Conservation Grant Program and has been funded by 4 1/2 % of the allocation that was coal severance tax revenue.

In closing, Representative Iverson mentioned this amounted to \$1.7 million over the biennium and there is about \$500,000 in the account now. He said in 1985 they took \$2 million and diverted it to Science and Tech, and in '86 we took \$1.35 million and put it in the general fund, and in '87 DNRC suspended the Alternate Energy Grant loan program. In '87 we appropriated all new revenue to Science and Tech Alliance. He said there aren't any loans made out of that account any more because it has all been diverted to other uses, so this bill cleans up the management of the account to conform to current practices and puts it in the general fund. It diverts the revenues directly into the general fund and deposits the \$.5 million less that \$10,000 in the general fund. The account stays in place to handle that.

Recommendation and Vote: Vote on motion to pass as amended, passed, unanimous of those present.

ADJOURNMENT

Adjournment At: 6:58 p.m.


REP. FRANCIS BARDANOUE, Chairman

DAILY ROLL CALL

HOUSE APPROPRIATIONS

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date March 15, 1989

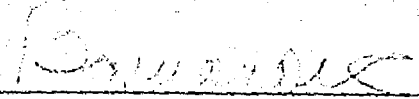
NAME	PRESENT	ABSENT	EXCUSED
REPRESENTATIVE BARDANOUVE	✓		
REPRESENTATIVE SPAETH			✓
REPRESENTATIVE PECK	✓		
REPRESENTATIVE IVERSON	✓		
REPRESENTATIVE SWIFT	✓		
REPRESENTATIVE QUILICI	✓		
REPRESENTATIVE BRADLEY			✓
REPRESENTATIVE PETERSON	✓		
REPRESENTATIVE MARKS	✓		
REPRESENTATIVE CONNELLY	✓		
REPRESENTATIVE MENAHAN	✓		
REPRESENTATIVE THOFT	✓		
REPRESENTATIVE KADAS	✓		
REPRESENTATIVE SWYSGOOD	✓		
REPRESENTATIVE KIMBERLEY	✓		
REPRESENTATIVE NISBET	✓		
REPRESENTATIVE COBB	✓		
REPRESENTATIVE GRINDE	✓		
REPRESENTATIVE CODY	✓		
REPRESENTATIVE GRADY	✓		

STANDING COMMITTEE REPORT

March 20, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 526 (first reading copy -- white) do pass as amended.

Signed: 
Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 5, line 19.

Following: "fund."

Insert: "(1)"

2. Page 5.

Following: line 23

Insert: "(2) The department of natural resources and conservation shall retain \$10,000 of the unobligated cash balance within the alternative energy and energy conservation research development and demonstration account at the end of fiscal year 1989 to fully fund its appropriations in the 1990-91 biennium."

3. Page 8.

Following: line 6

Insert: "NEW SECTION. Section 8. Coordination instruction. (1) If House Bill no. 683 is not passed and approved, [section 3(2) of this act] is void.

(2) If House Bill no. 683 is passed and approved, the language in [section 2 of this act] that provides, "and by the department of commerce through the science and technology research program of the Montana science and technology board under 90-3-101 as it read before [the effective date of this act]", is void."

Renumber: subsequent section

(B)

Amendment 1
526 Passed

EXHIBIT

DATE

HB 526

Amendments to House Bill No. 526
First Reading Copy (WHITE)

Requested by DNRC
For the Committee on Appropriations

Prepared by Valencia Lane
March 14, 1989

1. Page 5, line 19.
Following: "fund."
Insert: "(1)"

2. Page 5.
Following: line 23
Insert: "(2) The department of natural resources and conservation shall retain \$10,000 of the unobligated cash balance within the alternative energy and energy conservation research development and demonstration account at the end of fiscal year 1989 to fully fund its appropriations in the 1990-91 biennium."

3. Page 8.
Following: line 6
Insert: "NEW SECTION. Section 8. Coordination instruction. (1) If House Bill No. 683 is not passed and approved, [section 3(2) of this act] is void.
(2) If House Bill No. 683 is passed and approved, the language in [section 2 of this act] that provides, "and by the department of commerce through the science and technology research program of the Montana science and technology board under 90-3-101 as it read before [the effective date of this act]", is void."
Renummer: subsequent section

Do pass
in Amendment
3/15

Mr. Krause said that just this past year the amount of grants and contracts that were brought in were a 12% increase.

Senator Jenkins asked about the companies that have provided some research funding. Dr. Shirackle replied that many of them are multi-national companies and that the indirect costs provide a leverage and an investment for him to attract these corporations and their funding. He noted that there had not been any major shifting into Montana, however.

(Tape 1-B)

Closing by Sponsor: Representative Brown closed. He addressed Senator Keatings question on what increment of the overhead is duplicated in the system. He pointed out that the university system was failing for educational opportunity, so it was acceptable for companies to come into the state, with the incentive of the faculty, offers research/contract/grants for additional opportunities of education of students, academic rise of the faculty, and the chance for the system to expand. The incentive enhances the activity and raises the level of academic excellence in the system. He asked the Committee to support the bill.

Senator Jacobson moved to concur with HB 233. She also agreed to carry the bill.

DISPOSITION OF HOUSE BILL 233

Discussion: None

Amendments and Votes: None

Recommendation and Vote: The motion carried unanimously.

HEARING ON HOUSE BILL 526

Presentation and Opening Statement by Sponsor: Representative Iverson presented HB 526. He explained that this earmarks the coal tax money on the renewable energy conservation grant loan program. He explained that the program was set up in 1975, because the energy shortage and interest in developing alternate renewable energy. But there has been a change in emphasis and this bill reflects this change by taking the money from that account. He listed the history of other transfers from the account. Because of fiscal problems and a continuing decline in interest the program was discontinued. The assessment of energy, solar, and wind is being picked up 100% with federal funding. He said a program to retro-

fit state building and make them more energy efficient has been taken care of by Representative Quilici's bill, setting up a bonding program for energy retro-fit. Since there has been a de-emphasis in the program it doesn't seem to make sense to run the money into an account that is no longer being used. To take care of some loans that are still out there, there is a small balance left.

List of Testifying Proponents and What Group they Represent:

Dave Darby, Deputy Director of the Department of Natural Resources.

List of Testifying Opponents and What Group they Represent:

None

Testimony:

Proponents:

Dave Darby (245), Deputy Director of the Department of Natural Resources spoke in support of the legislation. He pointed out that the bill does retain the account. It breaks the total tax stream into the account, retains the account so that grant loan repayments to the Department of Commerce and to the Department of Natural Resources have a place to go when those repayments are made. The bill would make 1.7 million dollars in revenue available to the general fund, it does not mean that the department is de-emphasizing alternative energy or energy issues, he said.

Opponents: None

Questions From Committee Members: Senator Hofman asked if there were any more people asking for help in trying to put in a small generator on a stream or wind generator.

Representative Iverson replied there were some small generators going on the streams, but nothing going in the wind area. He noted that grants of \$5,000 made a lot of wood stoves. He pointed out that if there is a need for somebody to get \$5,000 they would still be able to do it. They can still go to the DNRC and submit the report and if the department thinks it is a good idea they can come to the Appropriations Committee and get the money.

Closing by Sponsor: Representative Iverson closed.

DISPOSITION OF HOUSE BILL 526

Discussion: Senator Jergeson moved to DO PASS on HB 526

Amendments and Votes: None

Recommendation and Vote: The motion passed unanimously.

HEARING ON HOUSE BILL 452
DISPOSITION OF HOUSE BILL 452

Discussion: Senator Keating proposed an amendment on HB 452, on page 6, line 24. (See Exhibit #1.)

Senator Aklestad pointed out that this may increase the cost in the long run and the amount of service that will be provided may be expanded.

Senator Story asked if there was a screening required before a person is eligible to receive this benefit.

Senator Keating replied (570) that all of the services that are provided through the medicaid program, every recipient has to be determined eligible. The number of case loads is what drive the appropriations. He said that the case load are the determining factor for the appropriation and those clients receive those services within that case load area and can go to anyone of the providers to receive that service and psychologist and social workers do the same thing as licensed professional counselors, including professional counselors as a service is not a new service. However, those that are eligible can go to a different provider for the service, he said. He explained qualifications of licensed professional counselors and the social workers. He said they have the same licensing board and the same degree of education.

He pointed out that wherever the licensed professional counselor is part of the professional clinic, the clinic itself is medicare eligible. Of the 210 professional licensed counselors, two thirds of them are in clinics. They are medicaid eligible and the clinics are receiving medicaid reimbursements for those licensed professional counselor services within their institutions.

Senator Jacobson commented that medicaid is already paying for these people to deliver those kinds of services.

(Tape 2-A)

Questions From Committee Members: Senator Devlin asked if this would expand the program.

Senator Keating replied that it could.

DAILY ROLL CALL

FINANCE AND CLAIMS

COMMITTEE - 1989

DATE

4-6-89

NAME	PRESENT	ABSENT	EXCUSED
Senator Gary Aklestad	✓		
Senator Loren Jenkins	✓		
Senator Esther Bengtson	✓		
Senator Matt Himsl	✓		
Senator Paul Boylan	✓		
Senator Tom Keating	✓		
Senator Judy Jacobson	✓		
Senator H.W. "Swede" Hammond			✓
Senator Pat Regan	✓		
Senator Larry Tveit	✓		
Senator Fred Van Valkenburg	✓		
Senator Dennis Nathe	✓		
Senator Greg Jergeson	✓		
Senator Gerry Devlin	✓		
Senator Richard Manning	✓		
Senator Sam Hofman	✓		
Senator Lawrence Stimatz	✓		
Senator Ethel Harding	✓		
Senator Pete Story	✓		